

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE
CONFIRMATION COMMITTEE**

Monday, January 15, 2007 – 9:00 a.m. – Room W140 House Building

Members Present:

Sen. D. Chris Buttars, Chair
Sen. Michael G. Waddoups, Vice Chair
Sen. Gregory S. Bell
Sen. Mike Dmitrich
Sen. Lyle W. Hillyard

Staff Present:

Ms. Esther Chelsea-McCarty, Associate General Counsel
Mr. Jerry D. Howe, Policy Analyst
Ms. Brooke Ollerton, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Buttars called the meeting to order at 9:18 a.m.

2. Interview of Gubernatorial Appointees

Mr. Thomas Patterson was placed under oath. He offered a personal statement and outlined his experience with the criminal justice system.

MOTION: Sen. Hillyard moved to close the meeting for the purpose of discussing the character, professional competence, or physical or mental health of Mr. Patterson. The motion passed unanimously.

MOTION: Sen. Waddoups moved to open the meeting. The motion passed unanimously with Sen. Hillyard absent for the vote.

Chair Buttars referred to a legislative audit of the Department of Corrections and the difficulty of Mr. Patterson's new position.

Mr. Patterson said he welcomed the valuable feedback the audit provided and would initiate a complete review of the department, if he was confirmed.

Chair Buttars indicated that he would be requesting another audit in one year.

Vice Chair Waddoups referred to Utah Code Ann. § 64-13-3, which outlines the qualifications of the executive director of the Department of Corrections. He stated a concern over whether or not Mr. Patterson met those qualifications.

Mr. Patterson acknowledged that he did not have experience in the area of corrections, but he would bring a new perspective to the job. He said he would surround himself with experienced people and educate himself.

Vice Chair Waddoups asked Mr. Patterson how he felt about privatizing prisons.

Mr. Patterson responded that if confirmed, he would enforce the laws, but his personal opinion is that punishment is a state function. He would be open to exploring the possibility of privatization.

Ms. Pamela Atkinson, community advocate, spoke in favor of the appointment because she believes Mr. Patterson is intent on addressing rehabilitation.

Sen. Bell spoke in favor of the appointment and cautioned the Committee that the Legislature cannot expect results from an underfunded department.

Sen. Dmitrich also spoke in favor of the appointment.

MOTION: Sen. Dmitrich moved to recommend to the full Senate the confirmation of Mr. Patterson as executive director of the Department of Corrections. The motion passed unanimously with Sen. Hillyard absent for the vote.

Mr. Robert Yeates was placed under oath. He offered a personal statement describing his educational background and his experience in the juvenile justice system.

Chair Buttars commented that Mr. Yeates was highly qualified for the position to which he was appointed.

Sen. Bell spoke in favor of the appointment.

Vice Chair Waddoups commented that Commission on Criminal and Juvenile Justice deals with important issues in the community and encouraged Mr. Yeates to focus on reducing the incidence of DUI.

MOTION: Sen. Waddoups moved to recommend to the full Senate the confirmation of Mr. Yeates as executive director of the Commission on Criminal and Juvenile Justice. The motion passed unanimously with Sen. Hillyard absent for the vote.

3. Other Items / Adjourn

MOTION: Sen. Dmitrich moved to adjourn the meeting. The motion passed unanimously with Sen. Hillyard absent for the vote.

Chair Buttars adjourned the meeting at approximately 10:05 a.m.